

Compliance Assessment Report

Report ID:
CAR_NRW0033215

This form will report compliance with your permit as determined by an NRW officer

Site	Site Serv Recycling Ltd	Permit Ref	JB3893HP			
Operator/Permit holder	Siteserv Recycling (sw) Limited					
Regime	Waste Operations					
Date of assessment	29/03/2018	Time in	10:00	Out	11:45	
Assessment type	Site Inspection					
Parts of the permit assessed	Operational area					
Lead officer's name	Tye, Laoni					
Accompanied by	Coleman, Craig					
Recipient's name/position	Nigel England, Luke England and Carl Jones/ Directors and TCM	Date issued	17/04/2018			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
C2 - General Management - Management system and operating procedures	C3	1.1.1 and 3.4.1
C4 - General Management - Storage, handling labelling and Segregation	C3	2.3.1
E2 - Emissions - Land and groundwater	C3	3.1.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	3	Total compliance score (see section 5 for scoring scheme)	12
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Environment officers Laoni Tye and Craig Coleman visited site on the 29th March 2018 and met with site TCM Carl Jones to conduct an arranged site inspection. The weather was dry during the walkaround, but it had been raining previously. There were breaches recorded which are outlined below. Please note, scores previously suspended have been re-activated.

C2 – General management. Category 3 breach.

Condition 1.1.1 states that the operator shall manage and operate the activities a) in accordance with a written management system that identifies and minimises the risks of pollution, including those arising from operators, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

And

condition 3.4.1 states that the operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

This breach has been de-escalated to a category 3 breach following improvements that have been made with regards to monitoring of the stockpiles, both hangar A and hangar B waste. We were advised about the daily checks that are made on the piles which includes using a heat detector to monitor the surface temperatures of the piles. This information is recorded daily and the documentation has been provided to NRW since the visit in an email dated 12th April 2018. Carl did however acknowledge that the heat detector would only be monitoring the surface temperature and that a temperature gauge/probe should be used as an additional measure. We were told that SiteServ are in the process of purchasing one and that additional temperature monitoring checks will be included in future. **Please let us know when this is in place.**

The final draft FPMP has been submitted dated 12th February 2018 and is currently with the FRS for comment. The site has been in contact with DCWW to discuss water arrangements and we are told a verbal agreement to deliver tankers of water should they be required has been agreed. The site is awaiting written confirmation of this and letters seeking the information have been provided to NRW as part of the draft FPMP (12/02/18).

One of the stockpiles of hangar B waste has now been tromelled and some of the waste removed. This has created more space on the concrete pad and means that one of the stockpiles has now been rotated and is stored in line with the FPMP.

However, there are still areas of non-compliance which need to be addressed. The other hangar B stockpiles have

now been in situ for over 12 months, without being rotated, which is not in line with the requirements of the FPMP guidance or agreements made between NRW and site. During the last site meeting in December we discussed the requirement to rotate the stockpiles to reduce fire risk and SiteServ confirmed they would manage this through the proposed plans to trommell the remaining piles. The original dates to start this was early January. To date, only one of the stockpiles has been trommelled (rotated) meaning that other piles are still left in situ and continue to pose a fire risk. We have been asking for information as to when the remaining stockpiles will be processed but have yet to receive any confirmation or dates.

Action: As discussed the trommelling and removal of waste needs to proceed and information on the proposal needs to be submitted to NRW.

There was no water bowser located on site during the visit, which is one of the requirements of the FPMP. This is required in case of any flare ups and, as advised during the visit, should be on site at all times.

Action: You must ensure that a water bowser remains on site at all times, in line with your FPMP.

C4 – Management – storage, handling, labelling and segregation. Category 3 breach.

Condition 2.3.1, table 2.3 states that unless stored or treated outside as specified waste:

- a) all bulking, transfer or treatment of waste shall be carried out inside a building;
- b) all waste shall be stored in a building or within a secure container
- c) all waste shall be stored and treated on an impermeable surface with sealed drainage system

Specified waste shall be stored and treated on hard standing or on an impermeable surface with a sealed drainage system.

There are large volumes of waste stored outside of a building which is not in line with this condition. There is the fire damaged waste of hangar B which is currently under notice to be removed by August 31st 2018. The notice has now been in place for more than 6 months and we are therefore scoring this breach going forwards, in line with our Compliance Classification Scheme Guidance (CCS). As discussed on site, the suspended scores up to this point will remain suspended providing the notice is complied with.

Action: There is a compliance notice in place requiring the removal of all hangar B waste from site by August 31st 2018.

There are stockpiles of fines currently stored on hard standing/unmade ground outside of the building which is also not in line with the permit conditions. These fines have been in situ for a number of years and require removal. This has led to unauthorised emissions to ground which is outlined below.

Action: We have agreed that these will be removed following the hangar B waste and a compliance notice will be issued at that time accordingly.

There were some wooden crates stored outside of the building to the back of hangar B. Although we

recognise that this was a small stockpile, this is not in line with the conditions of the permit and is not included within the FPMP as a waste code stored on site.

Action: Please ensure all wastes are store in line with permit conditions and relevant management systems. Waste wood should be removed from site.

E2 – Emissions – Land. Category 3 breach.

Condition 3.1.1 states that emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where it is practicable, to minimise those emissions.'

During the visit leachate could be seen pooling in areas around the waste fines and down towards the concreted area of road. This area is not served by an impermeable surface with sealed drainage and therefore it is reasonably foreseeable that the leachate has the potential to impact on ground and groundwater. The fines were not fully covered and there were large gaps allowing the ingress of water and increasing the amount of leachate coming from the waste. The root cause of this has been scored as a lack of effective management (detailed above).

Action: The stockpiles need to be covered as a matter of urgency to alleviate the ingress of water and reduce further leachate. **This should be done no later than the 20th April 2018.**

Action: The matter should be internally investigated and appropriate measures put in place to ensure this does not happen again.

Action: The area affected by the contamination should be remediated. All works should be fully documented.

Additional information

'Hangar B'

The trommelling of hangar B waste was a success and recyclables were recovered such as metal, inerts and plastics. We were told approximately 600 tonnes was processed out of the one stockpile (volumes yet to be confirmed). Noise and odour monitoring was conducted during the processing and there were no issues raised. We confirmed that we did not experience any complaints. The trommelling took place over two days and the third day was mainly sorting and tidying the concrete pad. We are awaiting the written information of this to be sent to us to include the volumes processed, how much of the waste was recovered, where it has been sent and the dates for continuing. **The deadline we set for this during the visit was 6th April 2018 and to date we are yet to receive it.**

We discussed the 'new' waste fines that have now been produced following the processing. We asked about where these would be removed to and we were told they would either be taken to a site in South West for further processing or alternatively sent to landfill. We were informed WAC analysis had been done on the fines to determine whether they could be used as landfill capping. I advised on site that although it is up to the site if they want to do the sampling, we do not envisage it being used as landfill capping due to the level of plastic and other contamination that could be seen in the pile. We re-iterated that these fines need to be removed no later than the deadline enforced on the compliance notice. **Please provide us with the details as to where these will sent.**

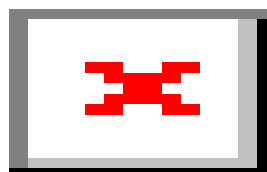
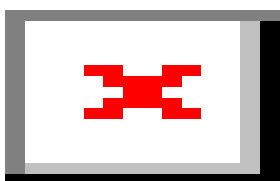
We were told that there is a contract in place that will allow 200 tonnes per week of the mixed waste to be taken to an EFW plant as required. There was a pile on site that was due to be removed to Viridor along with a pile of bulkier items. **All mixed waste will need to be removed from site in line with the deadline enforced on the compliance notice.**

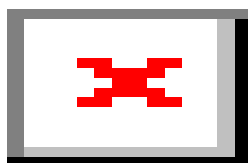
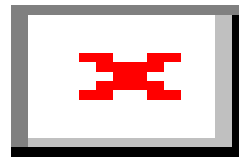
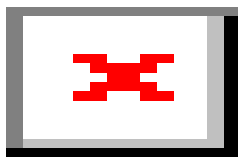
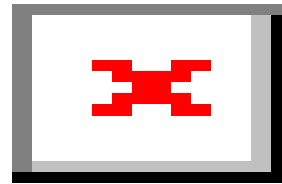
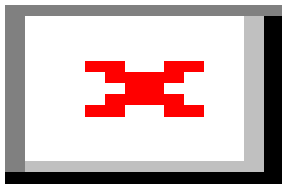
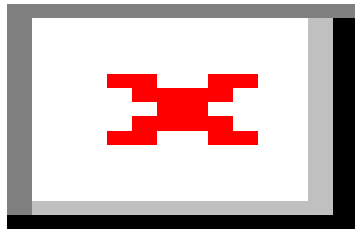
Hangar A

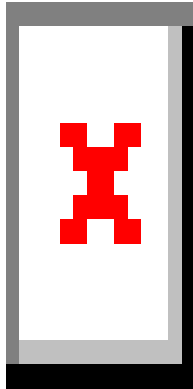
Some of the stack sizes were starting to exceed the limits within the FPMP in terms of length. There was a stockpile of mixed paper, 10 bales across. This was sat adjacent to a stockpile of baled plastic, approximately 3 bales across. There was a concrete wall placed in between the paper and plastic but the plastic bales were higher than the wall meaning that this was not acting as an effective fire break. The wall has also not yet been properly fitted. As discussed, this would therefore be considered one whole stockpile. Although the length is exceeding those set out in the FPMP we are taking a pragmatic approach and are not scoring a breach on this occasion. That is due to the fact that the width of the stockpiles were well within the limits and therefore, in terms of total size, the stack sizes were not of concern at that time. The height was also in line with guidance at no more than 3 bales high (approx. 3 metres) We were also told that the plastic bales were due to be moved later that day (please note photo evidence of this was requested at the time by NRW but has not been provided). **Please however ensure that in the future, stack sizes are in line with the FPMP.**

We discussed any potential issues surrounding the Chinese import ban and that we are in a process of making our sites aware of any issues that could arise in the future. We were told that only hogged books and newspapers were currently exported to China. We were told that the site has not had any issues in relation to this and that the waste is inspected on site prior to being sent to ensure it meets any contamination targets. We agreed that additional questions in relation to this would be answered via email.

Photographs







If you have any questions or comments please get in touch with Laoni Tye.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0033215**

This form will report compliance with your permit as determined by an NRW officer

Site	Site Serv Recycling Ltd	Permit Ref	JB3893HP
Operator/Permit holder	Siteserv Recycling (sw) Limited	Date	29/03/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
C2	C3	See actions within body of CAR form	27/04/2018
E2	C3	See actions within body of CAR form.	20/04/2018
C4	C3	See actions within body of CAR form.	31/08/2018

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.